

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT JACOBSEN,

Plaintiff,

No. C 06-01905 JSW

v.

MATTHEW KATZER and KAMIND
ASSOCIATES, INC.,

Defendants.

**ORDER RE ADMINISTRATIVE
AND RESETTING DEADLINES**

Now before the Court are submissions entitled Plaintiff's Administrative Motion Regarding Schedule Plaintiff's Motion for Leave to File Second Amended Complaint, and Scheduling Settlement Conference and CMC Dates, Defendants' Response to Plaintiff's Administrative Motion Re: Scheduling and an *ex parte* letter from counsel for Plaintiff directed at the Court regarding the parties' ongoing disputes.

On October 30, 2007, Plaintiff submitted a motion entitled Motion for Leave to File Second Amended Complaint, and in the Alternative, Motion for Final Judgment Under Rule 54(b) as to Cybersquatting Cause of Action and set the hearing for January 4, 2008. On November 1, 2007, the Court issued an order setting out a briefing schedule on the motion. What followed was a series of submissions that are, for the most part, unintelligible. Due process requires that the Court permit Defendants an opportunity to respond to Plaintiff's pending motion.¹ Due to the Court's calendar, the pending motion was set for the next available

¹ It is unclear whether the motion is a motion for leave to file an amended complaint (or select from two alternatives), a motion for final judgment or a motion for reconsideration (for which leave has not been granted), or some combination of the three. Defendants will have to address the nature of the motion in their opposition.

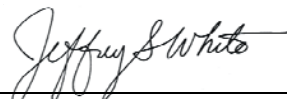
1 date of January 4, 2008. It is clear from the recent submissions that Defendants' counsel is not
2 available on the date selected for the hearing, and has requested the hearing be placed on the
3 Court's calendar for another date. Plaintiff clearly wishes to accommodate the request to move
4 the date, but seeks to continue other dates as well.

5 In this regard, the Court HEREBY RESETS the pending motion for hearing on January
6 18, 2008 at 9:00 a.m. The briefing schedule shall remain as previously set and the Court will
7 make every effort to rule on the motion upon submission of the briefs, unless it determines that
8 a hearing is necessary. The Court HEREBY RESETS the deadline for completing the
9 settlement conference to February 15, 2008. The Court HEREBY RESETS the case
10 management conference for March 14, 2008 at 1:30 p.m.

11 Lastly, the Court admonishes counsel for Plaintiff to refrain from submitting *ex*
12 *parte* letters to the Court. Such submissions are not permitted and failure to follow this Court's
13 rules will result in sanctions. *See* Standing Order ¶¶ 3, 10.

14
15 **IT IS SO ORDERED.**

16 Dated: November 7, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE